

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH L. REYES,

Plaintiff,

05 Civ. 3876 (RWS)

-against-

LODU CORPORATION, DULO CORPORATION and  
LARRY & JEFF'S BICYCLES PLUS,

**NOTICE OF  
MOTION**

Defendants.

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**PLEASE TAKE NOTICE** that, on Wednesday, September 21, 2005, at 10:00 in the forenoon, or such other date and time as the Court may determine, defendant LODU CORPORATION ("Lodu"), by its undersigned attorney, shall move this Court, before the Hon. Robert W. Sweet, U.S.D.J., at the Courthouse, 500 Pearl Street, Courtroom, New York, New York, 10007, for an order dismissing this action in its entirety as against Lodu pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and granting such other and further relief in favor of Lodu and against plaintiff Joseph L. Reyes as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that papers in opposition to the instant motion shall be served so as to be received by the undersigned counsel no later than Tuesday,

September 6, 2005, and shall be filed in accordance with the applicable Local Rules of the Southern District of New York and this Court.

Dated: New York, New York  
August 5, 2005

Yours, etc.

ERIC M. NELSON (EN-4307)  
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